

## Vistas Lifelong Learning – Propositions Class – November 8, 2016 Election

Ted Anagnoson's analyses, in one paragraph each:

**Prop. 51 – School Bond Issues.** Normally school bonds are a no-brainer for many people, but this one is peculiar. It is only on the ballot because a group of developers and contractors were angry with the governor and legislature for not moving fast enough to update the formula used to distribute funds. The governor responds that the formula is “first come/first served” (favoring larger districts with bigger staffs) and dates from 20 or more years ago and needs to be updated to focus on the poorer districts and not all districts. Another negative is that the bond would be for \$9 billion ultimately, a large amount when you consider 35 years of \$500 m per year interest. While there are many groups in favor of Prop. 51, I get annoyed at propositions that undercut the legislature and are clearly designed to favor a specific group, the proposers. I don't recommend this one. AGAINST.

**Prop. 52 – Voter Approval to Divert Hospital Fee Revenue Dedicated to Medi-Cal** (or, my title: “Locking the Medi-Cal Matching Fund Allocations into the State Constitution”). This one comes from hospitals that don't want the legislature deciding what to spend Medi-Cal/Medicaid matching funds on – even though in all years but one (2012) the legislature has been willing to allocate the money to Medi-Cal. So the California Hospital Association and their supporters want to lock into the constitution that the money would have to go to Medi-Cal unless the legislature overrode the formula with a 2/3rds vote, something unlikely to happen short of Armageddon. In my view, this is not the sort of thing that belongs in a constitution, but there are an awful lot of ads that will probably persuade the majority of voters in California. Not my cup of tea. AGAINST.

**Prop. 53 – Voters Must Approve State Revenue Bonds of \$2 Billion or More.** A one-person/family proposal from Dean and Joan Cortopassi, Stockton-area farmers/businesspeople. Mr. Cortopassi is motivated by his desire to kill the governor's proposal for \$15 billion twin-tunnels under the California delta. His proposal would almost certainly make it much more difficult to fund any large state project – in a state where such obstacles abound. Regardless of what you think about the twin-tunnels, which have their own problems, this proposal is overkill, and I will not be voting for it. AGAINST.

**Prop. 54 – Public Display of Legislative Bills Prior to Vote.** Another one-person proposal, this time from Charles Munger, Jr., a Palo Alto-based physicist who has been interested in promoting good ideas for California government during the last decade or more. The proposal would require all bills the legislature passes to be public for 3 days or more, both on the web and in print. The bill that is finally passed would have to be the one that is published 3 days before, no amendments. This is another in the endless series of procedural changes that good-government reformers promise us will straighten out our politics and fix California government. Personally, the notion that if we only had more publicity on the political process and the deals made to get legislation finalized, this would fix the process – I find this interestingly and quaintly naïve, but OK. The newspapers love it, the good government groups all love it, almost

no one doesn't like it, and it will probably pass in a second – but I won't be voting for it. And I suspect that it won't fix anything either. Munger's previous proposal to have a commission to do redistricting – great idea – and his support for moderate Republicans – all good things. But not this one. AGAINST.

**Prop. 55 – Extension of the Prop. 30 Income Tax Increase.** In 2012, from 1% to 3% was added to the state income tax rates of 9.3% to 10.3% for a seven year period for taxpayers making more than \$250,000 individually or \$500,000 for joint filers. These expire at the end of 2018. This proposition is an effort to extend those tax increases for another 12 years, until 2030. All of the money would go to K-12 schools and community colleges. It's the usual suspects on both sides – teachers, Democrats, good government groups, etc. on the positive side, and on the negative side: the Howard Jarvis people, Republicans, the California Chamber of Commerce, and the California Taxpayers Association. Governor Brown is neutral – he promised that the tax increases would be only for the 7 years when they were approved in 2012. Of the three state newspapers I respect, the Sacramento Bee is faintly in favor, the San Francisco Chronicle is against (just one more patch on the tax structure), and the Los Angeles Times is strongly negative, stating that the proposal is “bad planning, bad thinking, bad budgeting, and cowardly politics.” It might be difficult to obtain voter approval for temporary tax increases in the future if this “temporary” tax increase effectively becomes permanent; on the other side, it is the voters who are deciding, not the legislature. I'm torn. You decide. YOUR CHOICE.

**Prop. 56 raises the cigarette excise tax in California from 87 cents to \$2.87.** It would bring us from one of the cheapest states for purchasing cigarettes to one of the more expensive. Given that the impact would mostly be to save the lives of poorer people, who are more likely to smoke anyway, and given that the increase is part of a whole package of state policies designed to reduce smoking, this seems OK to me. FOR.

**Prop. 57 is Governor Brown's package of reforms to the parole and sentencing administration.** It definitely rolls back the 3-strikes rule by allowing you to be considered for parole prior to your finishing your secondary sentences. It gives inmates an incentive to behave well in prison and get some education by offering favorable consideration for parole to those who do so. It requires a hearing in juvenile court before a juvenile can be tried in adult court and specifies the offenses that can be considered. While I think voters should never be voting on criminal justice penalties and issues, which are very technical in nature and much better handled in the legislature, this seems worthy of support – unless you are a strong three-strikes person. FOR, unless you are a three-strikes person.

**Prop. 58 repeals the bilingual education bans that came into being with Prop. 227 in 1998.** It allows for more flexibility at the school level. It seems that the passion that drove the voters to approve 227 has waned, as there is little political activity surrounding this issue this year. An advantage is that the legislature can amend this law by majority vote. And we know that different views were considered and partially incorporated because the proposition is the result of a law that went through the legislature (see PPT). FOR.

**Prop. 59 is an advisory question on whether Californians want their elected officials to pursue overturning Citizens United through a constitutional amendment, the text of which is not indicated.** Originally intended for the 2014 ballot where the cynic in me says it was intended to turn out more Democrats, it got caught up in the courts but has now been OKed for the 2016 election. Elected officials in California don't have to listen to the proposition – they can do what they want. The only real reason to vote for this dog has to do with the interpretation if it loses – that Californians don't care about revising Citizens United, which I suspect they do. So you can vote for it if you want, or not if you think the whole thing is just another manipulative act by the political ruling class. YOUR CHOICE.

**Prop. 60 is an initiative from Michael Weinstein of the Los Angeles AIDS Healthcare Foundation that requires condoms to be used in sexual acts in adult films in California.**

However the state has had such rules for over 20 years. The real purpose of the initiative is to allow anyone to file a lawsuit against the producers, distributors, talent agents or others involved in adult films if the actions from a complaint are not sufficient, and if you win, you get a portion of the proceeds. In short, a bounty system. The LA Times says this is “an extreme approach – and demonstrably counterproductive.” The Sacramento Bee says that this is “an interesting idea, but surely we aren't so far gone that we want to start offering bounties and inviting frivolous lawsuits.” This is a great example of an initiative that takes an innocuous but positively sounding goal and implements it poorly. Please vote it down. AGAINST.

**Prop. 61 is another example of something that sounds good and will enable a protest vote – not to mention that it is going to pass in a second. It prohibits state agencies from buying any prescription drugs at any price over the lowest price paid for the same drug by the VA, except if required by federal law.** Sounds good, but the VA prices aren't public, and there is no obvious way to compel their disclosure. 75% of Medi-Cal beneficiaries aren't covered, because they are in Medi-Cal managed care plans, including one run by the sponsor, Michael Weinstein and the AIDS Healthcare Foundation again. The drug companies are sure to tie the measure up in the courts for years. Most health policy folks think that any comprehensive solution to the drug price problem will come from Congress, although perhaps incompatible solutions from different states might compel the industry to ask Congress for a solution – which will probably preempt anything any individual state has done. Given all the controversy over EPI-Pens and other drugs recently, I think this will pass overwhelmingly, so the choice is up to you. A protest vote against drug prices, or rejecting another incoherent set of ideas. YOUR CHOICE.

**Prop. 62 abolishes the death penalty.** If you are a pro-death penalty person, vote against it. If you are an anti-death penalty person, vote for it. It's one of the few easily understandable issues, one that the average voter has an attitude on – a good question for a proposition unlike so many. YOUR CHOICE.

**Prop. 63 WAS to be a huge set of controls on gun and ammo sales,** proposed by Gavin Newsome in hopes of accelerating his political career. However, the legislature passed most of them in bills in the early summer, undercutting the proposition. The LA Times and Sacramento Bee think that what is left isn't very significant but would be helpful in filling in the gaps, so they

recommend voting for it. If you are a pro-NRA person, vote AGAINST. If you favor further gun and ammo controls, vote FOR. YOUR CHOICE.

**Prop. 64, Marijuana Legalization, legalizes the sale and possession of marijuana for those over 21.** The proposition has some defects, like allowing advertising close to college campuses, but overall it reflects what the large players in the industry would like to have happen – the state and local governments get tax money, the industry gets established, there are a comprehensive set of rules to satisfy the feds, and we all make a lot of money – or at least the big players do. If you are pro-marijuana, you could vote for it, or take the Sacramento Bee’s advice that there is no reason not to wait 2-4 years to get more evidence from states that have legalized it and have a standard for driving under the influence of marijuana. The AAA says let’s wait until we have a driving standard for DUI marijuana. Many others recommend a “Yes” vote. If you like the idea of free availability of marijuana, vote FOR. If not, vote AGAINST. YOUR CHOICE.

**Prop. 65, Carryout Bags, Charges, is there to confuse everyone.** Vote it down! It states that if we ban single-use plastic carryout bags, then there has to be a special environmental fund for the money and the grocers can’t keep it. What a bunch of crapola! AGAINST.

**Prop. 66, death penalty procedures, is there to get people confused about 62.** Also to bring out the anti-death penalty crowd – it’s a standard technique of proposition writers. If your opponents are putting THEIR proposition on the ballot, you counter with YOURS – both on the same topic. Voters have in the past sometimes just voted both of them down, supporting the status quo, and many who pursue this tactic are pro-status quo people. In theory, if this proposition passes, more prisoners on death row will be executed, and quicker. As the San Francisco Chronicle put it, Prop. 66...proposes a highly complex, probably very expensive, and constitutionally questionable scheme for streamlining the appeals process in hopes of shaving years off the timeline between conviction and execution.” AGAINST.

**Prop. 67, Ban on Single-Use Plastic Bags, is a referendum.** If you vote “Yes,” you approve of the law that prohibits grocery and some other retail stores from providing single-use plastic or paper carryout bags at point of sale. A “No” vote disapproves of the law. Don’t make Andy Caldwell’s mistake in the News-Press and recommend voting the wrong way! Be careful. The law seems well-conceived, and it was based on the several tens of communities in California that have already banned single-use plastic carryout bags on their own. I recommend a “Yes” vote. YES.